



ATTORNEY DOCKET NO. 45636-5037

PATENT

box 59

9/17/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

G. SERRE *et al.*

Group Art Unit: 1641

Application No.: 09/582,711

Examiner: L. Cook

Filed: June 30, 2000

For: Peptide Epitopes Recognized by Antiflaggrin
Autoantibodies in Serum From Rheumatoid
Arthritis Patients

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SEP 12 2001

TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

Sir:

**TRANSMITTAL FORM FOR NOTICE TO COMPLY
WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

1. Transmitted herewith is a paper copy of the Original Sequence Listing.

2. Additional papers enclosed:

Copy of Notice to Comply, Paper No. 10, dated August 28, 2001
 Diskette of Sequence Listing in Computer Readable Format
 Statement Accompanying Substitute Sequence Listing

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

[] Applicants petition for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 380.00	\$190.00
[] three months	\$ 870.00	\$435.00
[] four months	\$1,360.00	\$680.00

Extension of time fee due with this request: \$_____. The Commissioner is hereby authorized by this paper to charge Deposit Account 50-0310 in this amount. If an additional extension of time is required, please consider this a Petition therefor.

[] An extension for ___ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

[X] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

6. Fee Payment

[] Check in the amount of \$_____ is attached. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: *Elizabeth C. Weimar*
Elizabeth C. Weimar
Reg. No. 44,478

Dated: September 7, 2001

CUSTOMER NO. 09629
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ATTORNEY DOCKET NO. 45636-5037-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: G. SERRE *et al.*

Application No.: 09/582,711

Filed: June 30, 2000

For: *Peptide Epitopes Recognized by Antifilaggrin*
Autoantibodies in Serum From Rheumatoid
Arthritis Patients

Group Art Unit: 1641

Examiner: L. Cook

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

LETTER RE COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR § 1.821-1.825

In response to the Communication from the Examiner dated **August 28, 2001**, Applicants hereby submit a Statement Accompanying Sequence Listing, a computer readable copy of the sequence listing, and a paper copy of the sequence listing. The content of the paper and computer readable copies are the same and include no new matter.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit

credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a
CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. §
1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: September 7, 2001

By: Elizabeth C. Weimar
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U.S. TRADEMARK OFFICE

Notice to Comply

Application No.

09/582,711

Examiner

Lisa V. Cook

Applicant(s)

Guy SERRE et al.

Art Unit

1641

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other:

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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